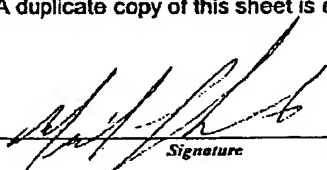





PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Large Entity)			Docket No. P02620										
In Re Application Of: Laurence J. Cull													
Serial No. 10/017,561	Filing Date December 14, 2001	Examiner Thaler, Michael H.	Group Art Unit 3731										
Invention: TURBINE DRIVEN VITRECTOMY CUTTER													
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>													
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>July 20, 2004</u> above-identified application. <small>Date</small>													
The requested extension is as follows (check time period desired):													
<input type="checkbox"/> One month <input checked="" type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months													
from: <u>October 20, 2004</u> <small>Date</small>		until: <u>December 20, 2004</u> <small>Date</small>											
The fee for the extension of time is \$420 and is to be paid as follows:													
<input type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 02-1425 A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 02-1425 A duplicate copy of this sheet is enclosed.													
 _____ <small>Signature</small> Michael L. Smith Reg. No. 35,685 Bausch & Lomb Incorporated One Bausch & Lomb Place Rochester, New York 14604-2701 TEL: 636-226-3197		Dated: November 24, 2004											
CC:		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">I certify that this document and fee is being deposited on November 24, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</td> </tr> <tr> <td style="text-align: center;"></td> <td></td> </tr> <tr> <td colspan="2" style="text-align: center;"><small>Signature of Person Mailing Correspondence</small></td> </tr> <tr> <td colspan="2" style="text-align: center;">Carla S. Young</td> </tr> <tr> <td colspan="2" style="text-align: center;"><small>Typed or Printed Name of Person Mailing Correspondence</small></td> </tr> </table>		I certify that this document and fee is being deposited on November 24, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.				<small>Signature of Person Mailing Correspondence</small>		Carla S. Young		<small>Typed or Printed Name of Person Mailing Correspondence</small>	
I certify that this document and fee is being deposited on November 24, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.													
													
<small>Signature of Person Mailing Correspondence</small>													
Carla S. Young													
<small>Typed or Printed Name of Person Mailing Correspondence</small>													

P12LARGEREV05

10017561

RECEIVED
CENTRAL FAX CENTER

:6362263415

17 2

NOV 24 2004

PTO/SB/30 (5/2000)

Approved for use through 10/30/2004. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See the American Inventors Protection Act of 1999 (AIPA).

Application Number	10/017,561
Filing Date	December 14, 2001
First Named Inventor	Laurence J. Cull
Group Art Unit	3731
Examiner Name	Thaler, Michael H.
Attorney Docket Number	P02620

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.33 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changed to Application Examination and Provisional Application Practice, Interim Rule.

1. **Submission required under 37 C.F.R. § 1.114.**a. ☒ **Previously submitted**

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on October 19, 2004
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☐ **Enclosed**

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-1425

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Michael I. Smith

Registration No. (Attorney / Agent)

35,685

Signature

Date

November 24, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print / Type)

Carla S. Young

Signature

Date

November 24, 2004

Burden Hour Statement: This form is estimated to take 1.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

12/01/2004 STOWAS 00000010 021425 10017561